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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/729,813	12/05/2003	Bioplav Srivastava	JP920030179US1	1921
7590 Frederick W. Gibb, III McGinn & Gibb, PLLC Suite 304 2568-A Riva Road Annapolis, MD 21401			EXAMINER PANNALA, SATHYANARAYAN R	
			ART UNIT 2164	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE			MAIL DATE	
3 MONTHS			04/18/2007	
			DELIVERY MODE PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary**Application No.**

10/729,813

Applicant(s)

SRIVASTAVA, BIPLAV

Examiner

Sathyanarayan Pannala

Art Unit

2164

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 February 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 16-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 16-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 December 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 2/6/2007 has been entered.

Response to Amendment

2. Applicant's Amendment filed on 2/6/2007 in response to Office Action mailed on 10/19/2006 has been entered with newly added claims 16-35 and canceled claims 1-15. In this Office Action, claims 16-35 are pending.

Drawings

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the 16-35 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered. There is no relation between drawings and claims.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

4. The revised Abstract of the invention filed on 7/27/2006 is objected because it is same as the claim 1. A brief abstract of the technical disclosure in the specification must commence on a separate sheet, preferably following the claims, under the heading "Abstract" or "Abstract of the Disclosure." The sheet or sheets presenting the abstract may not include other parts of the application or other material. The abstract in

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an application filed under 35 U.S.C. 111 may not exceed 150 words in length. The purpose of the abstract is to enable the United States Patent and Trademark Office and the public generally to determine quickly from a cursory inspection the nature and gist of the technical disclosure, see 37 C.F.R. § 1.72.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 16, 23, 30 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant is claiming as "inquiring whether an occurrence of an even has corrected predetermined code..." Claims 17, 24 and 31 are claiming as "classification code used for classifying said provisions..." whereas the does not as claimed.

Claim Rejections - 35 USC § 101

7. 35 U.S.C. § 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

8. Claims 23-35 are rejected under 35 U.S.C. § 101, because none of the claims are directed to statutory subject matter. Independent claims 23 and 30 deals with

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simple mathematical abstract idea. Additionally, claim 30 as a whole constitutes merely a software program that is not recited as being embodied on a medium that a computer may access to realize the functionality of a program. A claim that recites a computer that solely calculates a mathematical formula or a computer disk that solely stores a mathematical formula is not directed to the type of statutory subject matter eligible for patent protection. The claims are not producing useful, concrete and tangible results. See *Diehr*, 450 U.S. at 186 and *Gottschalk v. Benson*, 409 U.S. 63, 71-72 (1972).

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 16-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zambo et al. (US Patent 6,985,907) hereinafter Zambo, and in view of McCollum et al. (USPA Pub. 2005/0091640 A1) hereinafter McCollum.

11. As per independent claims 16, 23 and 30, Zambo teaches a method of codifying field claims with the most severe of the applicable condition codes (col. 2, lines 17-19).

Zambo teaches the claimed, an automated method for interpreting codified provisions (col. 2, lines 19-21). Zambo teaches the claimed, inquiring whether an occurrence of an event has a correct predetermined code associated therewith based on provisions provided in a document (Table 2, col. 6, line 65-67). Zambo teaches the claimed, providing a user with calculated results comprising the identified correct predetermined code and said provisions provided in said document corresponding to said correct predetermined code (Fig. 1, Table 1, col. 6, line 56 to col. 7 line 14). Zambo does not explicitly teach rules. However, McCollum teaches the claimed, selecting logic rules to apply to said occurrence of said event (Fig. 1, page 2, paragraph [0005]). McCollum teaches the claimed, evaluating said logic rules in order to select said correct predetermined code (Fig. 1, page 2, paragraph [0029]). McCollum teaches the claimed, identifying said correct predetermined code based on the evaluations of said logic rules (page 1, paragraph [0003]). Thus, it would have been obvious to one of ordinary skill in the data processing art at the time of the invention, to have combined the teachings of the cited references because McCollum's teachings would have allowed McCollum's method to execute plurality of rules simultaneously instead of executing sequentially in order to use computer resources more efficiently (page 1, paragraph [0003]).

12. As per dependent claims 17, 24 and 31, Zambo teaches the claimed, code comprises a classification code used for classifying said provisions provided in said document (Fig. 1, Table 1, col. 4, lines 12-20).

13. As per dependent claims 18, 25 and 32, Zambo teaches the claimed, document comprises any of legal documents, business policy statements, contracts, agreements, regulations, rules, constitutions, and codes of conduct (Fig. 2, col. 2, lines 36-43).

14. As per dependent claims 19 and 26, Zambo teaches the claimed, allowing said user to make a decision regarding responding to said occurrence of said event based on said calculated results (Fig. 2, col. 3, lines 62-67).

15. As per dependent claims 20, 27 and 33, McCollum teaches the claimed, logic rules comprise any of fuzzy rules, if-then-else rules, for-loop rules, while-do rules, do-while rules, do-until iteration rules, if-then rules, when-do rules, predicate logic rules, and declarative rules (Fig. 3, page 8, paragraph [0093]).

16. As per dependent claims 21, 28 and 34, Zambo teaches the claimed, provisions provided in said document comprise computerized text (Fig. 2, col. 4, line 1-3).

17. As per dependent claims. 22, 29 and 35, McCollum teaches the claimed, restricting specified logic rules from being evaluated (Fig. 3, page 8, paragraph [0044, 0056 & 0095]).

Response to Arguments

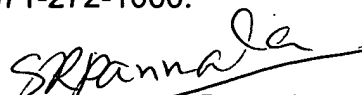
18. Applicant's arguments with respect to claims 16-35 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sathyanarayan Pannala whose telephone number is (571) 272-4115. The examiner can normally be reached on 8:00 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on (571) 272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Sathyanarayan Pannala
Primary Examiner

srp
April 14, 2007